

## REMARKS

Claims 1-19 and 21-76 are pending in the application. Claims 1, 27, and 52 are independent. By the foregoing Amendment, claims 1 and 15 have been amended, claim 20 has been canceled, and claims 27-76 have been added. Support for amendments to claim 1 can be found in Applicants' Specification at page 29, section 6, first paragraph. Amendments to claim 15 are clerical, *i.e.*, to change numbering. Support for new claim 27 can be found in Applicants' Specification at page 13, lines 12-21. Support for new claim 52 can be found in Applicants' Specification at page 8, third paragraph and at page 18, section 4, first paragraph. It is believed that these changes introduce no new matter and their entry is respectfully requested.

### Objection to Claim 11

In paragraph 2 of the Office Action, the Examiner objected to claim 11 because of improper numbering. By the foregoing amendment, Applicants have renumbered the second claim 11 as claim 15 to accommodate the Examiner's objection. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the objection.

### Objection to Claim 20

In paragraph 3 of the Office Action, the Examiner objected to claim 20 because it is a substantial duplicate of claim 19. By the foregoing amendment, Applicants have canceled claim 20 to render moot the Examiner's objection. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the objection.

### Rejection of Claims 1-5, 14, and 24 Under 35 U.S.C. § 102(e)

In paragraph 4 of the Office Action, the Examiner rejected claims 1-5, 14, and 24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,178,424 B1 to Okumura ("Okumura"). A claim is anticipated only if each and every element of the claim is found in a reference. (M.P.E.P. § 2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the claim. *Id. citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236 (Fed. Cir. 1989)). Applicants respectfully traverse the rejection.

Amended claim 1 recites in pertinent part “delivering the information to the user on a client system, wherein delivering the information to the user does not introduce additional latency above network physical limitations.” In at least one embodiment of the claimed invention, after a user 102 has subscribed, registered, and set preferences, the information control network 108 notifies the user 102 *whenever information is sensed that matches the subscription*, registration, and preferences. *Notification is thus sent* to pagers, instant messaging, spreadsheets, cellular telephones, etc., according to profiles described above. (See, Applicants’ Specification at page 29, section 6, first paragraph.)

Applicants respectfully submit that Okumura fails to teach at least this element as required by M.P.E.P. §2131. For example, Okumura introduces additional latency above network physical limitations when it matches users with information. The latency is added because the *pattern matching calculation* used in Okumura *is performed each time* any information is fetched. (See, e.g., Okumura column 8, lines 21-55.) Embodiments of the claimed invention do not introduce additional latency above network physical limitations, however, because no pattern matching or calculations are done. Matching users with information according to embodiments of the present invention is predetermined, *i.e.*, at the time subscriptions are set up. Applicants respectfully submit therefore that because Okumura does not teach at least this element recited in claim 27, Okumura fails to anticipate claim 1.

Claims 2-5, 14, and 24 properly depend from claim 1 and as such Okumura fails to anticipate them as well. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejections to claims 1-5, 14, and 24.

Rejection of Claims 6-13, 15-23, and 25-26 Under 35 U.S.C. §103(a)

In paragraph 9 of the Office Action, the Examiner rejected claims 6-13, 15-23, and 25-26 under 35 U.S.C. § 103(a) as obvious over Okumura. To establish a *prima facie* case of obviousness, each and every element of the found in the prior are references, an Examiner must show that there is some suggestion or motivation to modify a reference or to combine reference teachings, (MPEP §2143) and the suggestion or motivation to

combine reference teachings must be found in the prior art. Applicants respectfully traverse the rejection.

Applicants respectfully submit that claims 6-13, 15-19, 21-23, and 25-26 properly depend from claim 1. Claims 6-13, 15-19, 21-23, and 25-26 thus are patentable as well. (M.P.E.P. §2143.03.) Applicants have canceled claim 20 rendering the rejection of it moot. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejections to claims 6-13, 15-23, and 25-26.

#### New Claims 27-51

New claim 27 recites in pertinent part “monitoring and detecting publication of information in a network; organizing the detected information into a set of topics; facilitating a user to persistently subscribe to information based on at least one topic selected from among the set of topics; routing information to the user based on the organization and subscription; and delivering the information to the user on a client system, *wherein delivering the information to the user is initiated by a data source.*” In at least one embodiment of the claimed invention, the information control network 108 senses or detects information from various locations. Sources of information can be electronic libraries, databases, business process, legacy environments (e.g., file computer servers, Notes), email applications, instant messaging applications, chat applications, or other information in electronic form, such as information posted on websites and message boards. The information can also be from news services, file sharing applications, network management applications, etc. In one embodiment, *the information control network 108 is passive and waits for information to be published.* (See, Applicants’ Specification at page 13, lines 12-21.)

In contrast, in Okumura delivery of information is never initiated by a data source. Delivery is always initiated by the information distributing system. It is only after the information distributing system in *Okumura has fetched information* from a data source that delivery is initiated.

Applicants respectfully submit therefore that Okumura does not teach at least “delivering the information to the user is initiated by a data source” as recited by new claim 27. New claim 27 thus is patentable over Okumura. New claims 28-51 properly depend from claim 27 and are thus patentable over Okumura as well.

#### New Claims 52-76

New claim 52 recites in pertinent part “monitoring and detecting publication of information in a network; organizing the detected information into a set of topics; facilitating a user to persistently subscribe to information based on at least one topic selected from among the set of topics; routing information to the user based on the organization and subscription; and delivering the information to the user on a client system, *wherein the information already has been delivered to other users.*” That is, in embodiments of the present invention, event expiry may be never or may be based on a variable determined by the publisher.

For example, in at least one embodiment of the claimed invention, the users 102a and 102c are *consumers*, which *persistently request information* in accordance with the present invention, and subsequently *receive notification* that the requested information is available from another user 102, the information control network 108, and/or the Internet 110. Thus, the users 102a and 102c use client computers 104a and 104b (collectively client computer(s) 104) to request, and subsequently receive information, *as it becomes available*, from the computer servers 112. (See, Applicants’ Specification at page 8, third paragraph.) When a user 102 subscribes to one or more topics, the information control network 108 searches for information related to the topic. *When such information is found*, the user 102 may be notified. (See, Applicants’ Specification at page 18, section 4, first paragraph.)

In contrast, *Okumura expires data immediately upon delivery* to a user. This means that new users of the system in Okumura do not have access to older data.

Applicants respectfully submit therefore that Okumura not teach at least “wherein delivering the information to the user is initiated by a data source” as recited by new

claim 52. New claim 52 thus is patentable over Okumura. New claims 53-76 properly depend from claim 52 and are thus patentable over Okumura as well.

## CONCLUSION

Applicants respectfully submit that all grounds for rejection have been properly traversed, accommodated, or rendered moot and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date:

Jan. 9, 2004

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Enclosures:

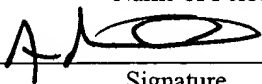
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